

IN RE: PETITION FOR ZONING VARIANCE  
NE corner of the intersection of  
Saddler and Burridge Roads  
(8605 Saddler Road)  
9th Election District  
6th Councilmanic District

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 89-544-A

Leilani S. Sain  
Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance to permit a side yard setback from a street centerline of 39 feet in lieu of the required 40 feet in accordance with Petitioner's Exhibit 1.

The Petitioner appeared, testified, and was represented by Alan H. Stocksdale, Esquire. There were no Protestants.

Testimony indicated that the subject property, known as 8605 Saddler Road, is located at the corner of Saddler and Burridge Roads, consists of .157 acres zoned D.R. 5.5 and is improved with a single family dwelling which Petitioner purchased in 1979. Testimony presented indicated that at the time of the title search, it was revealed that the improvements on the property did not meet current setback requirements and that a variance was required to correct the error. Petitioner believes the house as it exists today, and at the time of purchase, is as it was originally constructed in 1955. Testimony indicated the relief requested will not result in any detriment to the health, safety or general welfare of the community.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Deputy Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.).

and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 13th day of July, 1989 that the Petition for Zoning Variance to permit a side yard setback from a street centerline of 39 feet in lieu of the required 40 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restriction:

- 1) The Petitioner is hereby made aware that proceeding at this time is at her own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

ANN M. NASTAROWICZ  
Deputy Zoning Commissioner  
for Baltimore County

AMN:bjs

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
TOWSON, MARYLAND

District: 9th  
Posted for: 6/23/89  
Petitioner: Leilani S. Sain  
Location of property: NE corner of intersection of Saddler & Burridge Roads  
8605 Saddler Rd.  
Location of Sign: 8605 Saddler Rd., corner 20' from Burridge Rd. property of Leilani S. Sain  
Remarks: Petitioner's signature  
Posted by: M. H. Sain  
Date of return: 6/23/89  
Number of Signs: 1

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3333

J. Robert Haines  
Zoning Commissioner

July 13, 1989



Dennis F. Rasmussen  
County Executive

Alan H. Stocksdale, Esquire  
6717 Harford Road  
Baltimore, Maryland 21234

RE: PETITION FOR ZONING VARIANCE  
NE corner of the intersection of Saddler & Burridge Roads  
(8605 Saddler Road)  
9th Election District - 6th Councilmanic District  
Leilani S. Sain - Petitioner  
Case No. 89-544-A

Dear Mr. Stocksdale:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 897-3391.

Very truly yours,

ANN M. NASTAROWICZ  
Deputy Zoning Commissioner  
for Baltimore County

AMN:bjs

cc: People's Counsel

File

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
494-3333

J. Robert Haines  
Zoning Commissioner

May 30, 1989



Dennis F. Rasmussen  
County Executive

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance  
CASE NUMBER: 89-544-A  
9th Election District - 6th Councilmanic  
NE corner of intersection of Saddler & Burridge Roads  
8605 Saddler Road  
Petitioner(s): Leilani S. Sain  
HEARING SCHEDULED: TUESDAY, JULY 11, 1989 at 9:30 a.m.

Variances to allow a side yard setback along the street side to be 39 ft. in lieu of the minimum 40 from street centerline.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines  
Zoning Commissioner of  
Baltimore County

cc: Leilani S. Sain  
Paul R. Cusack, Esq.  
File

PETITION FOR ZONING VARIANCE  
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 89-544-A

The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 307, Amended Section III, Part C.1, (12541) of the Baltimore County Zoning Regulations to allow a side yard setback along the street side to be 39 ft. in lieu of the minimum 40 from street centerline.

The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 307, Amended Section III, Part C.1, (12541) of the Baltimore County Zoning Regulations to allow a side yard setback along the street side to be 39 ft. in lieu of the minimum 40 from street centerline.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm that I/We are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:  
(Type or Print Name)  
Signature  
Address  
City and State

Legal Owner(s):  
Leilani S. Sain  
(Type or Print Name)  
Signature  
(Type or Print Name)  
Signature

Attorney for Petitioner:  
Stockdale, Jarnell & Cusack  
(Type or Print Name)  
Signature  
Address  
City and State

8605 Saddler Road (301) 666-8608  
Baltimore County, Maryland 21234  
Name, address and phone number of legal owner, contract purchaser or representative to be contacted  
Name  
Address  
Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 26th day of June, 1989, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that proper be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 11th day of July, 1989, at 9:30 o'clock a.m.

J. Robert Haines  
Zoning Commissioner of Baltimore County

(over)

ZONING DESCRIPTION

BEING designated as Lot No. 3, Block Q, as shown on a Plat entitled "Section V-B, Woodcroft," which Plat is recorded among the Land Records of Baltimore County in Plat Book G.L.B. No. 20, Folio 95, and lying situated at the southeasternmost corner of the intersection of Saddler Road and Burridge Road. Also known as 8605 Saddler Road in the 9th Election District.

CERTIFICATE OF PUBLICATION

TOWSON, MD. June 15, 1989  
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on June 15, 1989.

THE JEFFERSONIAN,

S. Zeke Orlan  
Publisher

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J. Robert Haines  
Zoning Commissioner of  
Baltimore County

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3333

J. Robert Haines  
Zoning Commissioner

Date: 6/17/89



Dennis F. Rasmussen  
County Executive

Leilani S. Sain  
8605 Saddler Road  
Baltimore, Maryland 21234  
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BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No. 008200

DATE 7/11/89 ACCOUNT Petitioner's fee

AMOUNT \$ 89.56

RECEIVED FROM S. Zeke Orlan, Publisher (Sain)

FOR P. R. H. 7/11/89 Haines 89-544-A

VALIDATION OR SIGNATURE OF CASHIER



